

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**

AMY JOHNSON, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 1:15-cv-2282  
 )  
 CITIBANK, N.A., )  
 )  
 )  
 )  
 Defendant. )

## **PLAINTIFF'S COMPLAINT**

Plaintiff, AMY JOHNSON (“Plaintiff”), through her attorneys, alleges the following against Defendant, CITIBANK, N.A. (“Defendant”):

## INTRODUCTION

1. This action is brought pursuant to the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227 *et seq.*

## **JURISDICTION AND VENUE**

2. Jurisdiction of this court arises pursuant to 28 U.S.C. § 1331 and 47 U.S.C. § 227.
3. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2) as the conduct giving rise to this action occurred in this district as Plaintiff resides in this district and Defendant transacts business in this district.

## PARTIES

4. Plaintiff is a natural person at times relevant residing in Columbia, Maryland.
5. Defendant is a business entity with a business office located in New York, New York.
6. Defendant acted through its agents, employees, officers, members, directors, heirs,

successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

### **FACTUAL ALLEGATIONS**

7. Defendant places collection calls to Plaintiff seeking and attempting to collect on an alleged debt.
8. Defendant places collection calls to Plaintiff's cellular telephone at phone number (443) 812-48XX.
9. Defendant places collection calls to Plaintiff from phone numbers including, but not limited to, 800-388-2200.
10. Per its prior business practices, Defendant's calls were placed with an automated dialing system ("auto-dialer").
11. On or around November 29, 2015 at approximately 4:25 p.m., Plaintiff spoke to Defendant's female representative, and requested that Defendant stop calling her cell phone and to communicate with her only through written correspondence.
12. Plaintiff revoked any consent, express, implied, or otherwise, to receive automated collection calls from Defendant.
13. Despite Plaintiff's request to cease, Defendant continued to place at least one hundred and thirty-five (135) automated calls to Plaintiff without consent to do so over an approximate six-month period between December, 2014 and May, 2015.

### **COUNT I**

#### **DEFENDANT VIOLATED THE TELEPHONE CONSUMER PROTECTION ACT**

14. Defendant's actions alleged *supra* constitute numerous negligent violations of the TCPA, entitling Plaintiff to an award of \$500.00 in statutory damages for each and every violation pursuant to 47 U.S.C. § 227(b)(3)(B).

15. Defendant's actions alleged *supra* constitute numerous and multiple knowing and/or willful violates of the TCPA, entitling Plaintiff to an award of \$1500.00 in statutory damages for each and every violation pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

WHEREFORE, Plaintiff, AMY JOHNSON, respectfully requests judgment be entered against Defendant, CITIBANK, N.A., for the following:

16. Statutory damages of \$500.00 for each and every negligent violation of the TCPA pursuant to 47 U.S.C. § (b)(3)(B),

17. Statutory damages of \$1500.00 for each and every knowing and/or willful violation of the TCPA pursuant to 47 U.S.C. § (b)(3)(b) and 47 U.S.C. § (b)(3)(C),

18. All court costs, witness fees and other fees incurred,

19. Any other relief that this Honorable Court deems appropriate.

Dated: August 4, 2015

RESPECTFULLY SUBMITTED,

By: /s/ Michael Siddons  
Michael Siddons (SBN 19041)  
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